

US3N 10/562,077

IAP12 Rec'd PCT/PTQ 16 MAR 2007 CT

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IN THE UNITED STATES DESIGNATED OFFICE DO/US

REGARDING THE INTERNATIONAL APPLICATION OF:

Mark ELLIS

ENTITLED: "A PERSONAL COMMUNICATION DEVICE"

INTERNATIONAL APPLN. NO. PCT/AU2004/000831

Our Ref: B-5848PCT 623140-5

Mail Stop Missing Parts  
Commissioner for Patents  
PO BOX 1450  
Alexandria, VA 22313-1450

Attn: Shelby J. Vigil  
U.S. National Stage Processing  
PCT International Division

INTERNATIONAL STAGE EXPRESS MAIL CERTIFICATE

"Express Mail" label number EV888533321US

Date of Deposit: March 16, 2007

I hereby certify that the following attached documents

- Postcard
- Check no. 22498 in the amount of \$65.00 to cover Surcharge Fee for late filing of Declaration/Power of Attorney
- International Stage Express Mail Certificate (1 page)
- Response to NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) with Certificate of Mailing (2 pages)
- Copy of NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) dated January 24, 2007 (2 pages)
- Executed Declaration/Power (4 pages) and
- Verified Statement Claiming Small Entity Status - Independent Inventor (1 Page)

are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service with sufficient postage under 37 CFR 1.10 on the date indicated above in an envelope addressed to:

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United States Patent and Trademark Office  
Alexandria, VA 22313-1450

03/20/2007 JBALINAN 00000106 10562077

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65.00 OP

Lianne M. Doan

(Typed or printed name of person mailing paper or fee)

*L. Doan*

Express Mail No. EV888533321US

IN THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US)

Applicant(s): Mark ELLIS

Re: RESPONSE TO NOTIFICATION OF  
MISSING REQUIREMENTS UNDER 35 U.S.C.  
371 IN THE UNITED STATES  
DESIGNATED/ELECTED OFFICE  
(DO/EO/US)

U.S. Serial No.: 10/562,077

Group Art Unit: not yet assigned

INTERNATIONAL APPLICATION NO.:  
PCT/AU2004/000831

Our Ref.: B-5848PCT 623140-5

INTERNATIONAL FILING DATE:  
24 June 2004

For: "A PERSONAL COMMUNICATION DEVICE"

Date: March 16, 2007

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PO BOX 1450  
United States Patent and Trademark Office  
ALEXANDRIA, VA 22313-1450

Attn: Shelby J. Vigil

Dear Ms. Vigil:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) dated January 24, 2007 (copy enclosed), please find enclosed the following:

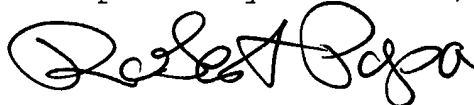
1. Declaration/Power signed by inventor Mark ELLIS identifying the application by U.S. application number, PCT international application number, and PCT international filing date; and
2. Verified Statement Claiming Small Entity Status-Independent Inventor signed by the inventor Mark ELLIS (1 page)

Letter re: Missing Requirements  
International Appln. No. PCT/AU2004/000831  
U.S. Serial No. 10/562,077  
March 16, 2007  
Page 2

**AUTHORIZATION TO CHARGE ADDITIONAL FEES**

- [X] The Commissioner is hereby authorized to charge the following additional fees which may be required or credit any overpayment to Account No. 12-0415.
- [ ] 37 CFR 1.16 (filing fees and presentation of extra claims)
- [X] 37 CFR 1.17 (application processing fees)
- [ ] 37 CFR 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 CFR 1.311(b)).

Respectfully submitted,



Robert Popa  
Attorney for the Applicant  
Registration No.: 43,010  
LADAS & PARRY, LLP  
CUSTOMER NUMBER: 36716  
5670 Wilshire Boulevard, Suite 2100  
Los Angeles, California 90036-5679  
Telephone No.: (323) 934-2300  
Facsimile No.: (323) 934-0202

**CERTIFICATION UNDER 37 CFR 1.10**

I hereby certify that this paper and the documents referred to as enclosed therein are being deposited with the United States Postal Service in an Express Mail envelope with sufficient postage for Express Mailing on this date March 16, 2007 in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number EV888533321US addressed to the:

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United States Patent and Trademark Office  
Alexandria VA 22313-1450



Lianne M. Doan

Date: March 16, 2007

EV 888 53332105



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/562,077	Mark Ellis	B-5848PCT 623140-5

INTERNATIONAL APPLICATION NO.	
PCT/AU04/00831	
I.A. FILING DATE	PRIORITY DATE
06/24/2004	

Ladas & Parry  
 Suite 2100  
 5670 Wilshire Boulevard  
 Los Angeles, CA 90036-5679

CONFIRMATION NO. 9490

371 FORMALITIES LETTER



\*OC000000022121963\*

Date Mailed: 01/24/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/22/2005
- Copy of the International Search Report filed on 12/22/2005
- Preliminary Amendments filed on 12/22/2005
- Request for Immediate Examination filed on 12/22/2005
- U.S. Basic National Fees filed on 12/22/2005
- Priority Documents filed on 12/22/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$65** for a Small Entity:

- **\$65** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/562,077	PCT/AU04/00831	B-5848PCT 623140-5

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

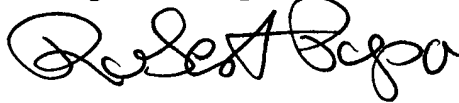
Applicant: Mark ELLIS ) Re: Small Entity Statement  
)  
) Group: Unknown  
)  
Serial No.: 10/562,077 )  
) Examiner: Not yet assigned  
)  
Filed: March 16, 2007 )  
) Our Ref: B-5848PCT 623140-5  
)  
For: "A PERSONAL COMMUNICATION )  
DEVICE" ) Date: March 16, 2007

MAIL STOP MISSING PARTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed for filing in the subject application is the executed Verified Statement (Declaration) Claiming Small Entity Status - Independent Inventor.

Respectfully submitted,



Robert Popa  
Attorney for the Applicant  
Reg. No. 43,010

c/o LADAS & PARRY, LLP  
CUSTOMERf NUMBER: 36716  
5670 Wilshire Boulevard, Suite 2100  
Los Angeles, California 90036-5679

Telephone No.: (323) 934-2300  
Facsimile No.: (323) 934-0202

Enclosure: Verified Statement (Declaration) Claiming Small Entity Status  
(1 page)